S.B. Civil Writ Petition No.1950/06
State of Raj. Vs. Om Prakash Sharma & Anr.

Date of Order : 21/03/2006

Hon'ble Mr. Justice Ajay Rastogi

Mr. B.K. Sharma, Dy.G.A. for petitioner

Instant petition has been filed against the order dt.19th April, 2000 [Ann.1] passed by the Labour Court in exercise of its power u/s.33-C(2) of the Industrial Disputes Act, 1947.

The respondent-workman was appointed as Class IV employee and he was paid Rs.150/- per month. He came out with the specific averment that he is discharging duties of regular nature in the cadre of Class IV despite that he has not been paid the minimum of wages of the cadre to which he was otherwise entitled for. No reply to the application was filed by the petitioner before the Labour Court.

On the basis of material on record, the learned Labour Court arrived at a conclusion that the respondent-workman became entitled for due wages of a sum of Rs.57739/-. This has also came on record that workman is working since 1980 in the cadre of Class IV and under the order impugned wages have

been computed on the basis of minimum of pay scale of the cadre of Class IV. I find no illegality in the order passed by the Labour Court and apart from it, the order impugned was passed way back on 19th April, 2000. No justification has been offered by the petitioner for filing writ petition after almost 6 years of passing order impugned.

Consequently, I find no force in the writ petition, the same is, accordingly, dismissed.

[Ajay Rastogi],J.

FRB